



**MICHAEL N. FEUER**  
CITY ATTORNEY

August 30, 2019

**BY ELECTRONIC FILING**

The Honorable Dolly M. Gee  
United States District Judge  
Central District of California  
350 West 1st Street  
Los Angeles, CA, 90012

**Re: *Flores v. Barr*, Case No. 2:85-cv-4544-DMG (AGRx)**

Dear Judge Gee,

The City of Los Angeles respectfully submits this letter pursuant to the Court's Order Re Plaintiffs' Motion to Enforce Settlement of November 26, 2018 (Dkt. No. 525), as a supplement to the Brief of 18 Cities and Counties as *Amici Curiae* In Support of Plaintiffs' Motion to Enforce Settlement (Dkt. No. 522) (Brief).

Given the substantive similarity between the initially proposed rule and the Final Rule, *Amici* continue to have significant interest in, and grave concerns about, Defendants' actions because the Final Rule will result in longer detentions and lower standards of care for immigrant children, thus increasing the well-documented risks of such detention, and impeding *Amici*'s ability to serve properly the needs of their immigrant residents. The Final Rule, like the proposed rule before it, impacts three primary interests of *Amici*: (1) ensuring the health and wellbeing of immigrant children through state and local licensing of housing facilities; (2) providing essential local resources to immigrant children to address the harms of detention; and (3) providing immigrant children with access to legal representation throughout their immigration proceedings.

Supplemental Letter  
August 30, 2019  
Page 2

In accordance with the interests and arguments set forth in the Brief, *Amici* assert that the now-final rule (Final Rule) is an impermissible and troubling attempt to use the rulemaking process to flout court-mandated safeguards for the detention of immigrant children in federal custody as set forth in the *Flores* Settlement Agreement (“FSA”).

Instead of being consistent with the terms of the FSA, the Final Rule dispenses wholesale with the FSA’s most critical protections, in favor of a new detention policy for which the Defendants identify no justification. Moreover, the Final Rule conflicts with the express terms and the underlying purpose of the FSA, which are there to protect the health and wellbeing of immigrant children. In particular, the Final Rule allows Defendants both to hold immigrant children in substandard, detention-like facilities for unnecessary periods of time, without independent oversight or accountability, and to deprive them of essential procedural protections.

For these reasons, *Amici* respectfully ask this Court to apply the interests and arguments made in the earlier Brief to the Court’s analysis of the Final Rule and *Amici* respectfully request this Court to grant Plaintiffs’ Motion to Enforce Settlement.

Sincerely,

By: /s/ Michael Dundas

Michael N. Feuer  
*City Attorney*  
James P. Clark  
Leela Kapur  
Valerie Flores  
Michael Dundas  
200 North Main Street,  
City Hall East Suite 800  
Los Angeles, CA 90012

*Attorneys for Amicus Curiae  
City of Los Angeles, California*